



10-04-06

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1615

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/574,210

Filing Date

March 31, 2006

First Named Inventor

Venkata Ramana Rao

Art Unit

1615

Examiner Name

Attorney Docket Number

AM-101457-1

ENCLOSURES

(Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):

- 19 documents

Remarks

Customer No. 38199

Express Mail No. EO 925 344 960 US

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

HOWSON & HOWSON

Signature

Printed name

Cathy A. Kodroff

Date

October 3, 2006

Reg. No.

33,980

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/574,210

Confirmation No.: 5687

Applicant : Venkata Ramana Rao *et al.*

Filed : March 31, 2006

TC/A.U. : 1615

Examiner :

Customer No. : 38199

Title : PANTOPRAZOLE MULTIPARTICULATE FORMULATIONS

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit to the Examiner the attached Form PTO/SB/08A document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted 3 months after the filing date of this application, but before the receipt of a first Office Action on the merits. Therefore, no fees are believed to be due.

The Examiner is respectfully requested to consider the document(s) identified in this paper and in the attached Form PTO/SB/08A during the course of examination of this application.

REMARKS

Listed below are foreign language documents for which an English translation is not available:

- (1) DE 197 52 843 A1; published July 1, 1997; Applicant: Byk Gulden Lomberg Chemische Fabrik GmbH
 - An English language abstract, following the cover page of this document, is provided by esp@enet. This document refers to, *inter alia*, compositions comprising pantoprazole and omeprazole.
- (2) WO 99/27917; published June, 10, 1999; Applicant: Byk Gulden Lomberg Chemische Fabrik GmbH
 - An English language abstract is provided on the cover page of the international application. This document refers to, *inter alia*, compositions comprising pantoprazole.
- (3) WO 01/28559 A1; published April 26, 2001; Applicant: Eisai Co., LTD.
 - An English language abstract is provided on the cover page of the international application. This document refers to, *inter alia*, compositions comprising pantoprazole.
- (4) WO 2004/035052 A1; published April 29, 2004; Applicant: Takeda Chemical Industries, LTD.
 - An English language abstract is provided on the cover page of the international application. This document refers to, *inter alia*, compositions comprising pantoprazole.
- (5) WO 2004/080439 A1; published September 23, 2004; Applicant: Takeda Chemical Industries, LTD.
 - An English language abstract is provided on the cover page of the international application. This document refers to, *inter alia*, compositions comprising pantoprazole.
- (6) WO 2005 001637 A1; published February 10, 2005; Applicant: Eisai Co., LTD.
 - An English language abstract is provided on the cover page of the international application. This document refers to, *inter alia*, compositions comprising pantoprazole.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

HOWSON & HOWSON
Attorneys for Applicant

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AM-101457-1

PTO/SB/08A (07-05)

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/574,210
				Filing Date	March 31, 2006
				First Named Inventor	Venkata Ramana Rao <i>et al.</i>
				Art Unit	1615
Examiner Name					
Sheet	1	of	4	Attorney Docket Number	AM-101457-1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	S	US-6,379,705	04-30-2002	Mendes et al.	
	T	US- 7,041,313	05-09-2006	Dietrich et al.	
	U	US-5,945,124	08-13-1999	Sachs et al.	
	V	US-5,997,903	12-07-1999	Dietrich et al	
	W	US-6,068,856	05-30-2000	Sach et al.	
	X	US-6,159,499	12-12-2000	Seth	
	Y	US-6,274,173	08-14-2001	Sach et al.	

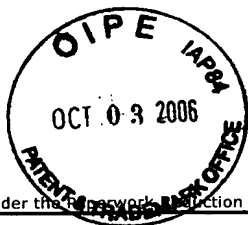
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				
	Z	EP 0 960 620 B1	01-11-2006	Ranboxy Laboratories Limited		
	AA	EP 1 108 425 B1	06-08-2005	Laboratorio medinfar- Produtos Farmaceuticos		
	BB	DE 197 52 843 A1	07-01-1997	Byk Gulden Lomberg Chemische Fabrik GmbH	English language abstract provided	
	CC	EP 1 652 514 A1	05-03-2006	Kkai et al.		
	DD	WO 99/27917	06-10-1999	Byk Gulden Lomberg Chemische Fabrik GmbH	English language abstract provided	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Art Unit	1615
				Examiner Name	
Sheet 2 of 4	Attorney Docket Number	AM-101457-1			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	EE	US-6,346,269	2-12-2002	Hsiao et al.	
	FF	US-6,391,342	5-21-2002	Henriksen et al.	
	GG	US-6,479,075	11-12-2002	Odidi et al.	
	HH	US-6,605,303	08-12-2003	Karehill et al.	
	II	US-6,780,436	8-24-2004	Lopez-Cabrera	
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				
	JJ	WO 01/28559 A1	04-26-2004	Eisai Co., LTD	English language abstract provided	
	KK	WO 2004/004682 A2	01-15-2004	Laboratorios S.A.L.V.A.T., S.A.		
	LL	WO 2004/004718 A1	01-15-2004	Abbott Laboratories		
	MM	WO 2004/035052 A1	04-29-2004	Takeda Chemical Industries, LTD	English language abstract provided	
	NN	WO 2004/066982 A1	08-12-2004	Ranbaxy Laboratories Limited		
	OO	WO 2004/080439 A1	09-23-2004	Takeda Chemical Industries, LTD	English language abstract provided	

Examiner Signature	Date Considered
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Sheet	3	of	4	Attorney Docket Number	AM-101457-1

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		Number-Kind Code ² (if known)			
	PP	US-2001/0053387	12-20-2001	Hamied et al.	
	QQ	US-2002/0039597	04-04-2002	Ukai et al.	
	RR	US-2002/0218293	09-12-2002	Rampal et al.	
	SS	US-2003/0118650	06-26-2003	Lizcano Garcia et al.	
	TT	US-2004/0028737	02-12-2004	Deshpande et al.	
	UU	US-2004/0146558	07-29-2004	Hirata et al.	
	VV	US-2004/0146558	07-29-2004	Hirata et al.	

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		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				
	WW	WO 00/09092	02-24-2000	Byk Gulden Lomberg Chemische Fabrik GmbH		
	XX	WO 2004/089333 A2	10-21-2004	Cadila Healthcare Limited		
	YY	WO 2004/098577 A3	11-18-2004	Altana Pharma AG		
	ZZ	WO 2004/098594 A3	11-18-2004	Altana Pharma AG		
	AAA	WO 2004/098573 A1	11-18-2004	Natco Pharma Limited		
	BBB	WO 2005/004921 A1	01-20-2005	AstraZeneca AB		
	CCC	WO 2005 001637 A1	02-10-2005	Eisai Co., LTD.	English language abstract provided	
	DDD	WO 2005/107721 A2	11-17-2005	Altana Pharma AG		

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				Filing Date	March 31, 2006
				First Named Inventor	Venkata Ramana Rao <i>et al.</i>
				Art Unit	1615
Sheet	4	of	4	Examiner Name	
				Attorney Docket Number	AM-101457-1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	EEE	US-2004/0146558	07-29-2004	Hirata et al.	
	FFF	US-2004/0219211	11-04-2004	Criere et al.	
	GGG	US-2005/0003005	01-06-2005	Shimizu et al.	
	HHH	US-2005/0042285	2-24-2005	Ukai et al.	
	III	US-2005/0042277	02-24-2005	Srinivas et al.	
	JJJ	US-2006/0057195	03-16-2006	Nomomura et al.	

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